

REMARKS

Claims 1-3, 5, 7 and 10 have been amended. Claims 1-3, 5-8 and 10 remain in the application. Applicant reserves the right to pursue the original claims and other claims in this and in other applications.

Claims 1-3, 5-8 and 10 are rejected under 35 U.S.C. § 102 as being anticipated by Takano. Reconsideration is respectfully requested.

Independent claim 1 has been amended to obviate the rejection. Claim 1 as amended states that the information that is reproduced from the medium (the “other information”) is provided on the medium before the information based on the usage information is transmitted to the client. In a preferred embodiment of the invention, the information that is reproduced from the disk in Step S15 (Fig. 4B) is recorded on the disk 3 before the process is started. Please refer to the specification, page 16, line 25 – page 17, line 20, and especially page 17, lines 18-20. The claimed invention should not be limited, however, to the preferred embodiments.

Takano fails to disclose or suggest the method of amended claim 1, where a medium “having other information” is provided, and then a “server transmit[s] information based on . . . usage information,” and then a “client reproduc[es] the other information.” The Office Action, page 3, paragraph (e), notes that, in the Takano system, information is downloaded to a card 150 (from the Internet 165). The card information is not, however, provided and reproduced in the sequence recited in amended claim 1. Consequently, claim 1 as amended should be allowable over Takano.

Claim 2 has also been amended. According to claim 2, as amended, the second server (e.g., the application server 6) is provided with the recited second information (e.g., the service provided in Step S55, Fig. 6B) before the other method steps are performed. Takano fails to disclose or suggest the steps of amended claim 2, in the recited order. The Takano system is fundamentally different than the claimed invention. Consequently, claim 2 as amended should be allowable over Takano. Claim 3 depends from claim 2 and should be allowable along with claim 2 and for other reasons.

The server of claim 5, as amended, has a third part that is "configured to transmit . . . information on authorization of reproduction of information . . . to enable the reproduction of said information from the information recording medium." The Takano system has no such part and, therefore, claim 5, as amended, should be allowable over Takano. The Office Action, page 7, refers to "information as to whether reproduction information . . . is authorized." Claim 5, however, does not relate to whether information is authorized, such as by being paid for, but rather to the authorization of reproduction of the information, to enable the reproduction of the information from the information recording medium. Claim 6 depends from claim 5 and should be allowable along with claim 6 and for other reasons.

Claims 7 and 10, as amended, recite limitations similar to those discussed above in connection with claims 5 and 1, respectively, and should be allowable for at least those reasons. Claim 8 depends from claim 7 and should be allowable along with claim 7 and for other reasons.

In view of the above amendment, Applicant respectfully submits that the pending application is in condition for allowance.

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Respectfully submitted,

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